

SUMMARY OF PRINCIPAL DIFFERENCES BETWEEN FEDERAL & SC HAZARDOUS WASTE REGULATIONS

Regulatory citations refer to R.61-79 unless otherwise specified

2002

STATUTORY & AGENCY-WIDE PROGRAM DIFFERENCES APA: Early, detailed notice of drafting and subsequent economic impact analyses; Procedures for contested cases, including 15-day appeal. Groundwater protection: "Monitoring Well" definition and regulations; no injection wells for disposing of HW (R.61-87.11D). Hazardous Waste Management Act: Environmental Impairment Restoration fund, Fees for certain activities, funding of commercial facility inspectors, State Superfund program, waste minimization program, contingency fund; Location standards; Needs/planning provisions. Independent solid waste/used oil statutes and regulations (at '44-96-10 et seq. and R.61-107).

GENERATOR REPORTING/RECORDKEEPING Waste code option for Department and receiving facilities. State "SQG" same as federal, report annually (not biennially); "CESQG" one-time reporting, and "ensure delivery;" >1000 report quarterly (not biennially). Generator notification correct/current, accurate determinations; Documentation of inspections, leachate collection in cells, tank turnover; Recordkeeping: onsite for three years; generic labeling w/HW# for accumulation, storage, pretransport on tanks & containers. ID number (not simply a request) required to TSD.

MINIMUM REQUIREMENTS/CLARIFICATIONS Mining wastes and household hazardous wastes exempt from most provisions; Generator cleanup requirements; Transporter spills constitute generation; Minimum training required at satellite accumulation sites; Interim status can be withdrawn for continuing violations; Technical assurances for design minimum technical requirements after closure; Department judgment can be injected into local emergency response planning; Department participates in EPA delisting & variance decisions which affect State; No 200-mile/270-day permit exemption; Certification of SW-846 parameters; Stacking limitation. Satellite training required, EPA handles Universal Waste Rule waste stream requests. No mixed-waste transportation and disposal exemption.

TRANSPORTERS Notification; ID number; permits & training; financial responsibility.

GROUNDWATER PROTECTIONS no injection wells for disposing of HW; State well standards. Monitoring, liners, surface impoundments, treatment zones more protective; Ignitable & reactive wastes may not be placed in surface impoundments or landfills; Land treatment discontinued until corrective measures taken; Containment system for storage areas; Landfill impermeability beneath liner.

CLOSURE/POSTCLOSURE Plans/costs require approval, update, and documentation; permits required for postclosure activities (not routine orders)

FINANCIAL REQUIREMENTS No pay-in trust fund, more information available to DHEC, more strict insurance agreements, SC business license required.

BURNING OF HW IN BIFs for purposes of incineration requires incinerator permit.

PERMITS Earlier & broader notice to State and potentially affected parties, more State and public involvement in permits and modifications; more State agencies/interests in activity; permit application becomes part of final permit; checklists provided by facility; Department prepares fact sheets for all permits & responds to all relevant comments; May not allow transfers; some permit modification requirements.

ALL DHEC REGULATIONS ARE AVAILABLE FROM FOI OFFICE (803)898-3882